

### **REMARKS**

This is in response to the Office Action mailed on April 9, 2003 in regard to the above-identified patent application. Claims 1, 2, 4, and 5 have been amended to more clearly describe Applicant's invention. Claims 26-30 have been canceled, without prejudice. Applicants reserve the right to pursue the canceled claims in a continuing application. Claims 1-25 are pending in the present case.

The period for response to the Office Action mailed ended on July 9, 2003. Please find filed herewith a petition for a three month extension of time. The period for response with the three month extension ends on October 9, 2003.

If for any reason the petition should become separated from this response, the Commissioner is respectfully requested to consider this a petition for any extension of time required to maintain the pendency of this patent application. In this event the Commissioner is also authorized to charge Deposit Account No. 50-1894 for any fee that may be required to maintain the pendency of this patent application.

### **Drawings**

The Examiner has objected to the drawings under 37 CFR 1.83(a) and 37 CFR 1.84(p)(4). Applicants have amended the drawings to include every feature of the invention specified in the claims and to correct various typographical errors. Applicants also provide new Figure 1C of the drawings. No new matter has been added.

### **35 USC §112 REJECTIONS**

The Examiner has objected to the disclosure, since the disclosure had a number of informalities. Applicants have amended the specification to correct the informalities noted. No new matter has been added.

Additionally, the Examiner has rejected Claims 2-25 under 35 USC §112, 2<sup>nd</sup> paragraph. Applicants have amended the claims above and respectfully submit that this rejection has been overcome.

### 35 USC §102 REJECTIONS

The Examiner rejected Claims 1-3, 5-10, 12, 13, 19-23, 26 and 27 under 35 USC 102(b) as being anticipated by Lundquist et al. (US Pat No. 6,102,886).

Lundquist et al. teach a system comprising a delivery catheter having a lumen through which a stylet can be advanced. The stylet has an ablating element formed into a point at its distal end allowing the stylet to pass through a distal opening in the delivery catheter and into target tissue. RF energy can then be applied to the stylet to ablate the surrounding tissue. The delivery catheter can be deflected by translation of a pull wire which runs along one side of the delivery catheter, over its entire length. See generally Figs. 1, 2, 5 and 6 and corresponding text from Lundquist et al. This is different than the invention of Claim 1 of the present invention.

The invention of Claim 1 specifically requires, in part, “a pull wire slidably attached at a predetermined distance from a distal end of [a] steering means at *a first angular position* with respect to the longitudinal axis of the elongated body member and fixedly attached at *a second angular position* with respect to the longitudinal axis of the elongated body member.” (emphasis added) There is no teaching or suggestion in Lundquist et al of using a pull wire, as part of a steering means, having two attachment points at different angular positions with respect to each other, as claimed in Claim 1. Such an arrangement is advantageous since it provides improved mechanical advantage when operated to deflect the steering means. Conversely, Lundquist et al teach the pull wire being placed along one side of the catheter body, as is plainly seen in Figure 5 of the Lundquist et al reference.

For the reasons set forth above, Applicants respectively submit that the rejection with respect to Claim 1 has been overcome. Since Claims 2, 3, 5-10, 12, 13, 19-23 all depend from, directly or indirectly, and further limit Claim 1, Applicants respectfully submit that the rejection of Claims 2, 3, 5-10, 12, 13, 19-23 has been overcome, as well. Since Claims 26 and 27 have been canceled above, Applicants respectively submit that the above rejection with respect to these claims is now moot.

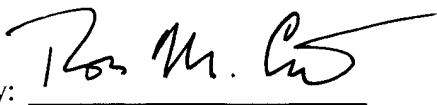
35 USC §103 REJECTIONS

The Examiner has rejected Claims 11, 16, 17 and 24 under 35 USC 103(a) as being unpatentable over Lindquist et al.

Since Claims 11, 16, 17 and 24 all depend from, directly or indirectly, Claim 1 and Applicants respectfully submit that Claim 1 is in allowable form in light of the above arguments, Applicants respectfully submit that Claims 11, 16, 17, and 24 are in allowable form, as well.

In view of the above amendments and the discussion relating thereto, it is respectfully submitted that the instant application, as amended, is in condition for allowance. Early reconsideration and reexamination is respectfully requested.

Respectfully Submitted,

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